

Part 5

Unlawful and Unprofessional Conduct

58-64-501 Unlawful conduct.

"Unlawful conduct" includes:

- (1) a licensee conducting a deception detection examination:
 - (a) outside of the physical presence of the subject of the examination;
 - (b) on the subject of the examination by use of any electronic means, including the telephone; and
 - (c) through any surreptitious means when the subject of the examination is not aware of the examination; and
- (2) conducting a deception detection examination if the individual performing the deception detection examinations is located outside of the state and performs a deception detection examination by any electronic means upon a person located within the state.

Enacted by Chapter 215, 1995 General Session

58-64-502 Unprofessional conduct.

"Unprofessional conduct" includes:

- (1) using any deception detection instrument that does not meet criteria and standards established by rule by the division in collaboration with the board; and
- (2) using any deception detection instrument that does not make a permanent recording as required under Section 58-64-601.

Enacted by Chapter 215, 1995 General Session